

TEL: (212) 944-6093

GETTINGER FOUNDATION

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1407 BROADWAY
NEW YORK, NY 10018

May 17, 2010

Via Certified Mail

Clerk of the United States Bankruptcy Court for
The Southern District of New York
One Bowling Green
New York, NY 10004

Re: Bankruptcy Case No. 08-1789 (BRL)

Dear Sir or Madam:

I am writing in reply to your determination letter dated April 22, 2010, regarding Bernard L. Madoff Investment Securities LLC ("BLMIS") account No. 1G0022.

In your letter, you have made a calculation of the amount that was deposited into and withdrawn from that account and have determined that there is no positive equity. You conclude, therefore, that we aren't entitled to an approved claim. We disagree with this determination, relying on the Securities Investor Protection Corporation ("SIPC") Series 500 rules. This rule states: "Where the Debtor held cash in an account for a customer, the customer has a 'claim for securities' with respect to any authorized securities purchase...if the Debtor has sent written confirmation to the customer that the securities in question have been purchased for or sold to the customer's account."

Our understanding of the definition of "net equity" conflicts with your definition of "net equity" and what is stated in SIPC's own Series 500 rules referred to above. Since, as you yourself state in your letter, the Second Circuit will ultimately determine the definition of "net equity," we believe your determination of the claim is unfair, presumptuous and certainly premature.

Please be advised that the Gettinger Foundation is a 501 (c)(3) charitable foundation which was incorporated in 1987, and from its inception had all of its assets invested with BLMIS. As a 501 (c)(3) entity, the Foundation was required by law to distribute a percentage of its assets to charities on an annual basis. In compliance with that obligation, annual contributions were made each year to approximately 50 charities, some of which included the American Cancer Society, United Way, American Foundation for the Blind, American Heart Association, Foundation Fighting Blindness, National Foundation for Cancer research, Yale Cancer Center, and Helen Keller International. The Foundation ceased making contributions in 2008 and currently, as a result of the deceit practiced by BLMIS, has minimal assets remaining.

The Foundation helped these worthy institutions study and deal with the sufferings people are unfortunately afflicted with in this life. To this end, the Foundation's annual contributions allowed these institutions to continue their research toward one day curing the illnesses which plague humanity such as cancer, blindness, and heart disease.

Until the Trustee's and Foundation's respective rights are determined, we will disagree with the Trustee's purported determination and assert our rights and claims.

MAY 18 2010

If you have any questions, please call me at (212) 944 6093.

Very truly yours,

The Gettinger Foundation

A handwritten signature in cursive script, reading "Clark A. Gettinger". The signature is written in black ink and is positioned above a horizontal line.

By: Clark Gettinger
President